

I. The Real Party in Interest

The real party in interest in the present appeal is Attitude Technology, Inc., 5622 Nevada Drive, Huntington Beach, CA 92647, to whom an undivided interest in the above-captioned application has been assigned by virtue of an assignment by the inventors to Attitude Technology, Inc. recorded on September 29, 2003, at reel 014535, frame 0018.

II. Related Appeals and Interferences

The Appellant is unaware of any pending appeals or interferences related to the present appeal.

III. The Status of the Claims

Claims 1-14 and 28-30 have been canceled without prejudice to resubmission. Claims 15 through 27 are currently pending in the present application and stand rejected in the Final Rejection. The rejection of claims 15 through 27 is hereby appealed. A copy of the currently pending claims 15 through 27 is attached as an appendix hereto.

IV. The Status of any Amendments Filed after Final Rejection

No amendments have been filed after the Final Rejection dated May 16, 2005.

V. Summary of the Claimed Subject Matter

Independent claim 15 relates to a billiard cue 20. The billiard cue 20 has a proximal portion and a distal portion, wherein the distal portion comprises up to half of the length of the billiard cue (page 6, lines 18-20 of the specification). The cue 20 also includes a tip 21 suitable for striking a billiard ball located on a distal end of the distal portion of the cue 20 (page 11, lines 4-8 of the specification and Fig. 3) and a grip 22 located on the proximal portion of the cue 20 (page 12, line 14 of the specification and Fig. 3). The distal portion of the cue 20 comprises substantially more than half of the weight of the cue 20 (page 6, lines 18-22 of the specification).